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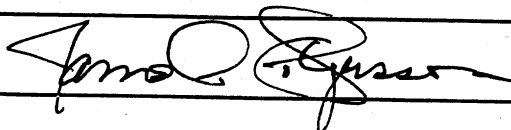
TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Leslye Corsiglia

SUBJECT: SEE BELOW

DATE: February 4, 2004

Approved



Date

2.5.04

COUNCIL DISTRICT: Citywide

INFORMATION

SUBJECT: QUARTERLY REPORT DETAILING ACTIVITY IN THE HOUSING DEPARTMENT'S RENTAL RIGHTS AND REFERRALS PROGRAM

This report covers activity in the Rental Rights and Referrals Program for the second quarter of FY 2003-04. The Rental Rights and Referrals (RRR) Program provides education, information and referrals on Rental Rights for tenants and landlords.

Program Highlights

Major actions completed during the second quarter of FY 2003-04 include:

Public Outreach - The RRR Program worked with the Marketing Division to implement an aggressive public outreach campaign promoting the Non-Rent Control Program established in July 2004 to address the landlords/tenants advocacies' concerns regarding prevalent illegal, no-cause evictions in San Jose. The Program provides mandatory mediation to tenants who are served with a 60-day, no cause to notices to vacate and live in a tri-plex or larger, built after 1979. The Program provides an opportunity for the landlord and tenant to settle rental disputes with a voluntary agreement through mediation.

The following are events that took place during the months of November and December:

- Throughout the month of November, ads ran in Inside San José, the San José Mercury News, the Spartan Daily, the Metro, the Times Community Newspaper, and the Thoi Bao Vietnamese Newspaper;
- Vietnamese radio ads ran from November 17th, to December 12th on channel 1500 AM;
- Bus placards were posted in Valley Transportation Authority buses and light rail beginning December 15th running through February 8th;
- A Vietnamese television commercial ran throughout the month of December on Saigon Television;
- The Vietnamese Yellow Pages, included two ads for the program that was released in January, 2004; and
- A Spanish phone interview was conducted in December for the Nuevo Mundo Newspaper.

February 4, 2004

Subject: Quarterly Report Detailing Activities in the Housing Department's Rental Rights and Referrals Program

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- **New Staff** – During this quarter, the RRR Program hired two new staff members, a Vietnamese-speaking Office Specialist and a Spanish-speaking Analyst II. This has allowed the program to expand customer service to a broader community of residents in San Jose.
- **Non-Rent Control Mediation Program-** During this quarter, there were five petitions filed on 60 days notices with the RRR Program. Four of the five petitions ended with a voluntarily signed agreement between the landlord and tenant. In most cases, the tenant received an additional 30-day stay. Only one petition filed did not reach an agreement in the mediation.

Quarterly Reports

The following reports are included in this document. Please note that this report does not include the Non-Rent Control Quarterly Report.

- **Phone Tree** - The phone tree system reports 2,739 calls during the second quarter of FY 2003-04. The data demonstrates that a majority of calls are from English speakers regarding rental issues. Information from this data collection is attached to this report (Attachment A).
- **Database Reports** - The call log database tracked 471 inquiries during the second quarter of FY 2003-04. A detailed report showing the data collected is attached to this report (Attachment B). During the second quarter of FY 2003-04, the RRR Program received eight 30-day notices, eight 60-day notices, and seven 90-day notices. Information from this database is attached to this report (Attachment C).
- **Public Outreach Report** - Staff participated in two resource fairs. Information on the City's Rental Control Ordinance was distributed to the community. A detailed list of each outreach event is attached to this report (Attachment D). Due to the holidays and the winter months, public outreach has been limited.
- **Case Log Report** - The number of petitions filed with the RRR Program between October 1, 2003 and December 31, 2003 was 17 (including the 5 petitions filed under the new Non-Rent Control Mediation Program as described above). Information regarding these cases is attached to this report (Attachment E).


LESEYE CORSIGLIA
Director of Housing

Phone Tree Report

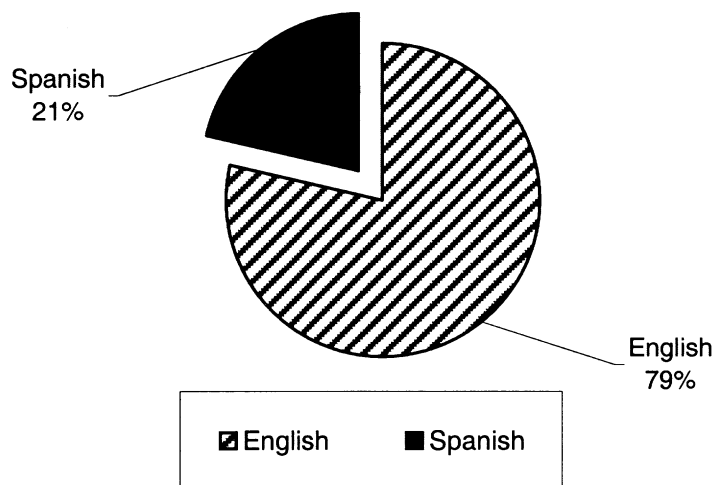
Second Quarter FY 2003-2004

Attachment A

English	2152
Spanish	587
Total	2,739

Language Option

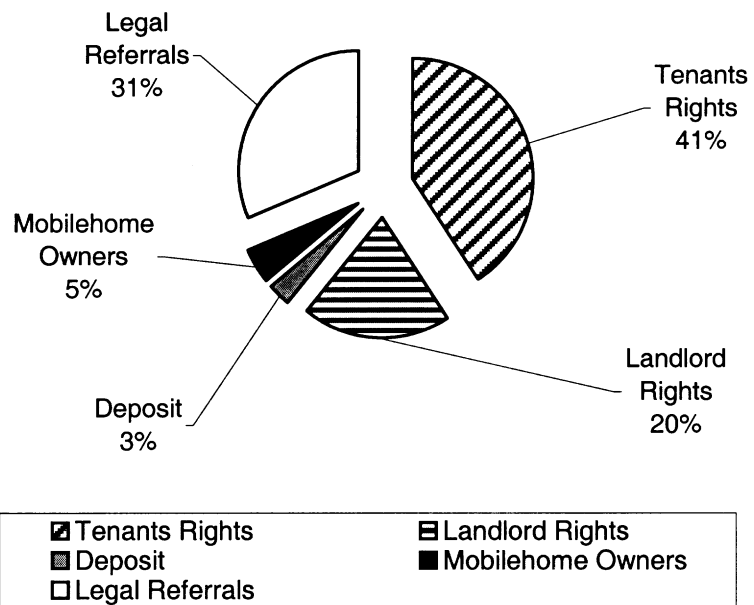
10/01/2003-12/31/2003



Tenants Rights	610
Landlord Rights	298
Deposit	46
Mobilehome Owners	70
Legal Referrals	470
Total	1,494

Phone Tree Menu

10/01/2003-12/31/2003



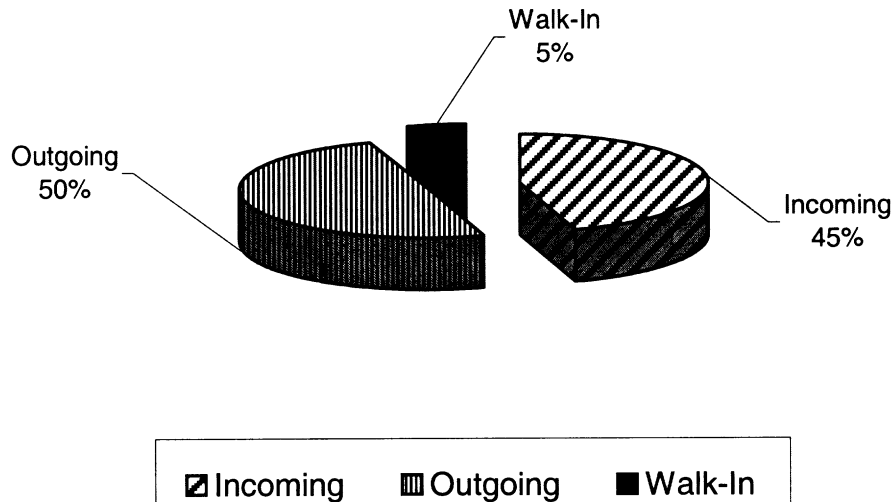
Database Report
Second Quarter FY 2003-2004

Attachment B

Incoming	213
Outgoing	234
Walk-In	24
Total	471

Service Type Percentages

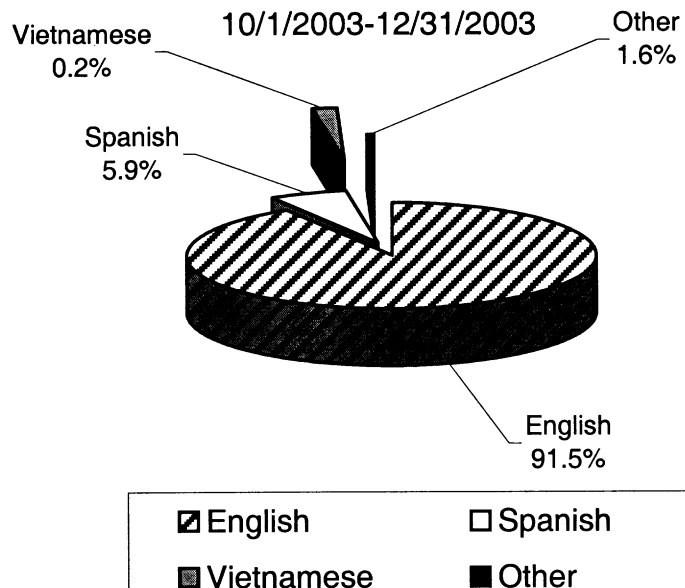
10/1/2003-12/31/2003



English	431
Spanish	28
Vietnamese	10
Other	2
Total	471

Language Percentages

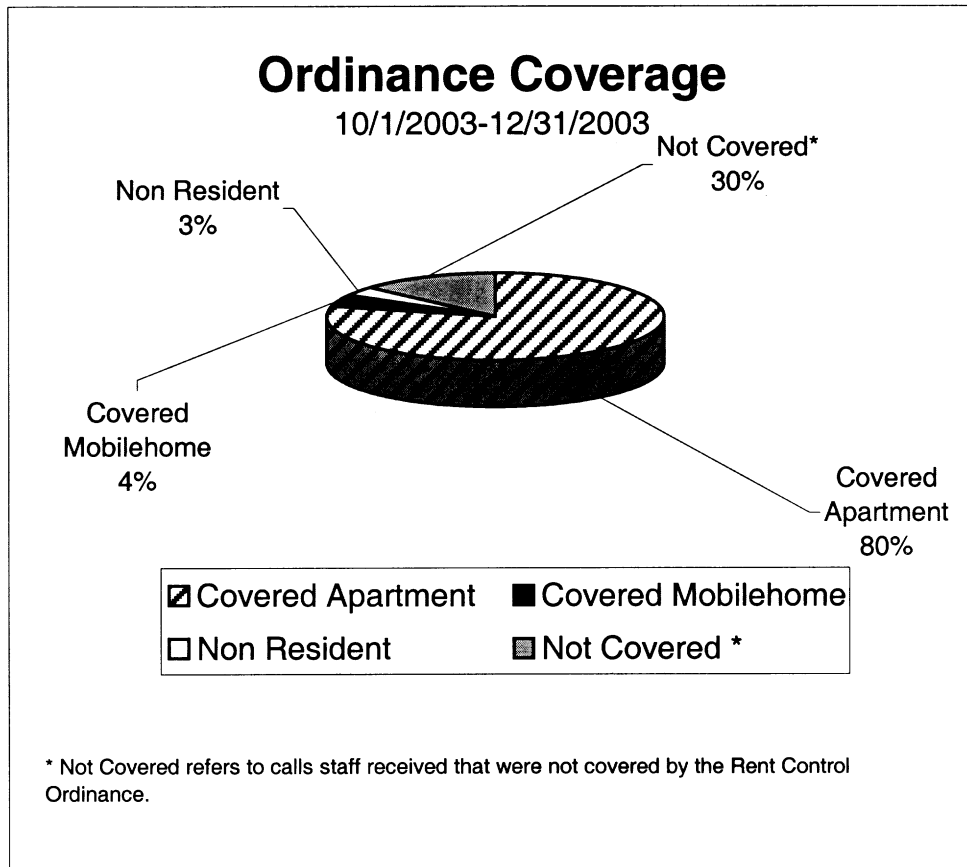
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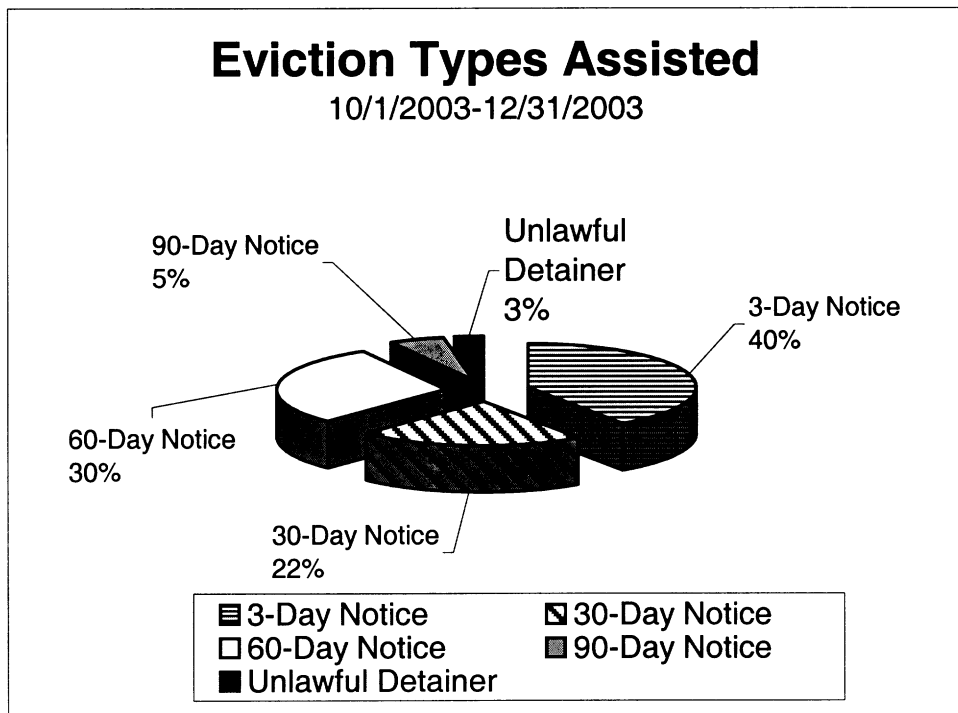
Database Report
Second Quarter FY 2003-2004

Attachment B

Covered Apartment	372
Covered Mobilehome	21
Non Resident	15
Not Covered *	63
Total	471



3-Day Notice	15
30-Day Notice	8
60-Day Notice	11
90-Day Notice	2
Unlawful Detainer	1
Total	37



Rental Rights and Referrals Program

Attachment B

Data for January 1 - December 31, 2003

Number of Inquiries

	January	February	March	April	May	June	July	August	September	October	November	December	Total	Percent
Incoming Phone Calls	140	129	129	162	114	197	88	32	46	78	54	81	1250	65%
Returned Phone Calls	66	48	37	58	13	3	26	41	70	148	57	29	596	31%
Walk-in	8	2	3	10	5	3	8	8	5	6	7	11	76	4%
Total	214	179	169	230	132	203	122	81	121	232	118	121	1922	100%

Languages Spoken

	January	February	March	April	May	June	July	August	September	October	November	December	Total	Percent
English	196	162	161	210	121	182	103	79	106	223	108	100	519	92%
Spanish	13	14	6	17	10	19	13	0	13	9	9	10	33	6%
Vietnamese	0	0	1	0	0	1	0	2	0	0	1	9	1	0.2%
Other	5	3	1	3	1	1	0	0	2	0	0	0	9	2%
Total	214	179	169	230	132	203	116	81	121	232	118	119	562	100%

Referral Topic

	January	February	March	April	May	June	July	August	September	October	November	December	Total	Percent
Deposit	28	23	26	40	16	47	23	12	15	15	13	31	77	10%
Maintenance	11	10	7	11	3	12	7	5	3	3	0	4	28	3%
Allowable Rent Increase	22	23	19	24	13	18	7	2	7	21	14	5	64	8%
Rights	165	140	138	174	100	105	86	67	102	215	105	73	443	55%
Ordinance	16	70	58	103	69	19	15	42	82	200	89	54	144	18%
Eviction	16	9	23	27	17	28	20	9	10	18	18	16	48	6%
Total	258	275	271	379	218	229	158	137	219	472	239	183	804	100%

Referrals

	January	February	March	April	May	June	July	August	September	October	November	December	Total	Percent
Code Enforcement	22	18	13	27	11	12	11	7	5	21	12	7	53	20%
Asian Law Alliance	1	10	11	14	10	3	1	3	1	4	0	4	22	8%
Legal Aid Society	64	50	70	71	39	51	30	28	37	82	49	71	184	71%
Total	87	78	94	112	60	66	42	38	43	107	61	82	259	100%

30/60/90-Day Notice Information
Second Quarter FY 2003-04
10/1/03-12/31/03

Attachment C

Notices to Vacate			
Address	Zip Code	Date Served	Date Received
30-Day Notices			
4951 Cherry Ave. #19	95118	12.19.03	12.19.03
76 N 7th St.	95112	12.04.03	12.04.03
4950 Cherry Ave. #165	95118	11.05.03	11.05.03
445 S. 8th St. # 4	95112	11.05.03	11.09.03
199 S. 14th St. # 3	95112	11.01.03	11.03.03
496 N. 17th St. # 2	95112	10.21.03	10.22.03
2342 Lucretia Ave. # 4	95122	10.21.03	10.21.03
99 S. 14th St. # 8	95112	10.03.03	10.14.03
Subtotal: 8			
60-Day Notices			
2915 Huff Ave.	95128	12.22.03	12.22.03
1609 Parkmoor Ave. # 233	95128	12.10.03	12.12.03
2308 Lucretia Ave. # 2	95121	12.10.03	12.10.03
1950 Lakewood Ave. # C	95132	11.17.03	11.19.03
4461 Renaissance Dr. # 631	95134	10.28.03	10.30.03
4261 Norwalk Dr. # 107	95129	10.28.03	10.30.03
4431 Renaissance Dr. # 321	95134	10.23.03	10.24.03
1736 Essex Way # 2	95117	10.03.03	10.05.03
Subtotal: 8			
90-Day Notices			
1799 Lancaster Ln. # 13	95124	12.10.03	12.12.03
909 Sherman Oaks	95128	12.10.03	12.12.03
1451 Curci Dr. # 1	95126	12.05.03	12.08.03
1779 Lancaster Ln. # 14	95124	12.03.03	12.05.03
1804 Bradford Way	95124	11.20.03	11.21.03
170 N. 5th St. # 16	95136	11.15.03	11.19.03
59 S. 5th St. # 14	95112	10.16.03	10.19.03
Subtotal: 7			
Total: 23			

Public Outreach Report

Date: October 4, 2003

Type: Multicultural Harvest Festival

Audience: Neighborhood Associations and Community Organizations

Location: Emma Prusch Park

Participants: 700

On October 4, 2003 the Rental Rights and Referrals Program attended the Multicultural Harvest Festival. Staff participated in the resource fair with other community-based organizations. Staff passed out information on the new changes on the non-rent controlled units and units covered by the rent control ordinance.

Date: October 18, 2003

Type: A Multicultural Festival – Day in the Park

Audience: Neighborhood Associations and Community Organizations

Location: Lake Cunningham

Participants: 5,000

Day in the Park- Multicultural Festival serves as a community event that brings people together to enjoy a full day of multicultural activities. The Festival also provides residents an opportunity to meet local government officials, neighborhood businesses, and community associations. In addition, the Festival allows citywide programs and community-based organizations to participate and provide public outreach on their programs. The Rental Rights and Referrals Program gave out information on landlord/tenant issues.

Rental Rights and Referrals Program Case Log Report
Second Quarter FY 2003-04

Attachment E

General Information						Violation Type*					Mediation and Arbitration Process					Disposition of Cases
Address Street Number	Zip Code	Date Filed	Date Approved	# Of Petitions	Ineligible Petitions	%	SR	HC	Freq	Rights	Mediation Voluntary	Decision	Arbitration Voluntary	Decision	Closed	
2118 Canoa Garden #23	95125	10/24/03	10/24/2003	1							10/28/2003				10/28/2003	The tenant and landlord came to a voluntary agreement. The landlord agreed to reimburse the resident \$3,500 for code violations.
596 Williams #1	95125	10/02/03	10/10/2003	1			1				10/24/2003				10/24/2003	The tenant and landlord reached an agreement before a meeting was scheduled.
4431 Ranaissance #321	95134	10/28/03	10/28/2003	1							11/5/2003				11/5/2003	A mediation hearing was scheduled. The landlord and the tenant did not reach an agreement, therefore, the 60-day notice still stands.
5243 Turner #301	95136	10/24/03	10/27/2003	1							11/8/2003				11/10/2003	Voluntary agreement - A mutual termination of tenancy was reached and served as settlement of the parties. The 60-day notice was extended to a 90-day notice and the tenancy will terminate on January 15, 2004.
4461 Renaissance #631	95134	10/31/03	11/3/2003	1							11/18/2003				11/18/2003	Voluntary agreement - The tenant agreed to move out of the apartment on January 27, 2004. Both parties agreed on payment of the outstanding rent.
2431 Rinconada #20/21	95125	10/28/03	11/3/2003	2			2				11/24/2003				11/24/2003	The owner agreed to do inspection and fix all damages within seven days. The owner will provide 48 hours notice in advance to access the unit.
4411 Renaissance #121	95134	10/30/03	10/30/2003	1							11/20/2003				11/20/2003	Tenant reached an agreement with the property management and withdrew the petition.
65 Glen Eyrie #9	95125	11/26/03	12/2/2003	1			1				12/13/2003				12/13/2003	The tenant and landlord reached a voluntary agreement. The parties agreed that the tenant will remain in the rental unit until 4/30/04. Tenant will provide a 30-day notice on 4/1/04. Deposit will be used for wear and tear. The deposit will not be used for code issues.
3825 Barker Dr. #1,3,4	95117	11/07/03	12/4/2003	5			5				N/A				current	Service reduction
3825 Barker Dr. #2	95117	11/12/03	12/4/2003		1	19%					N/A				12/4/2003	Rent increase is within the allowable increase under the Ordinance.
3825 Barker Dr. #1	95117	11/18/03	12/4/2003		1	19%					N/A				12/4/2003	Rent increase is within the allowable increase under the Ordinance.
4259 Hamilton Ave. #38	95130	11/07/03		1							11/15/2003				11/15/2003	The tenant and landlord reconciliated regarding their case issues.
Totals for Fourth Quarter FY 2002-03:				15	2	2	9				9					
Total Petitions Filed:				17		12%	53%									

*Each petition may have more than one type of violation indicated.

Legend	
Rent Increase Beyond 8%	%
Service Reduction	SR
Housing Code Violation	HC
Frequent Rent Increase	Freq
Notification of Rights	Rights